

House Bill 54

By: Representatives Lunsford of the 110<sup>th</sup> and Levitas of the 82<sup>nd</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 47-23-105 of the Official Code of Georgia Annotated, relating to  
2 survivors' benefits under the Georgia Judicial Retirement System, ceasing spouses' benefits,  
3 vesting, and designation of survivors benefits, so as to provide that certain members of such  
4 retirement system who rejected spouses' benefits may elect such benefits by paying to the  
5 board of trustees such amount as determined by the actuary as necessary to grant such benefit  
6 without creating any accrued actuarial liability; to provide that in order to vest for spouses'  
7 benefits, such member must have at least ten years of membership service; to provide  
8 conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other  
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Code Section 47-23-105 of the Official Code of Georgia Annotated, relating to survivors'  
13 benefits under the Georgia Judicial Retirement System, ceasing spouses' benefits, vesting,  
14 and designation of survivors benefits, is amended in subsection (b) by adding a new  
15 paragraph to read as follows:

16 "(3) Any member, other than a subject to paragraph (2) of this subsection, who rejected  
17 the spouses' benefits provided by this Code section pursuant to paragraph (1) of this  
18 subsection may subsequently obtain such benefits by so notifying the board in writing  
19 and by tendering to the board of trustees such amount as determined by the actuary as  
20 necessary to grant such benefit without creating any accrued actuarial liability as to this  
21 retirement system. In order to vest for spouses' benefits, the member must have at least  
22 ten years of membership service."

23 **SECTION 2.**

24 This Act shall become effective on July 1, 2010, only if it is determined to have been  
25 concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia

26 Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not  
27 become effective and shall be automatically repealed in its entirety on July 1, 2010, as  
28 required by subsection (a) of Code Section 47-20-50.

29

**SECTION 3.**

30 All laws and parts of laws in conflict with this Act are repealed.